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PATENT

ATTORNEY DOCKET NO.: 041514-5114

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

Mitsuru SATO et al.)

Application No.: 09/813,898)

Filed: March 22, 2001)

Date of Allowance: March 17, 2005)

For: TRACKING SERVO APPARATUS OF)
OPTICAL INFORMATION RECORDING)
AND REPRODUCING APPARATUS)

Confirmation No.: 4674

Group Art Unit: 2652

Examiner: Peter V. Agustin

HAND-DELIVERY TO:

Office of Petitions

U.S. Patent and Trademark Office

Madison Building West

600 Dulany Street

Alexandria, VA 22314

Attn: Petitions Examiner Karen Creasy

Tel: 571-272-3208

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- ☐ Previously submitted:
- ☐ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____. (Any unentered amendment(s) referred to above will be entered).
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- ☐ Other: _____.

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- ☒ Enclosed:
- ☐ Supplemental Reply
 - ☐ Declaration Under 37 C.F.R. § 1.132
 - ☒ Information Disclosure Statement
 - ☒ PTO Form 1449 with four (4) documents attached
 - ☒ Japanese Office Action dated May 16, 2005
 - ☒ Petition under 37 C.F.R. § 1.313(c) to Withdraw Application from Issue

2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

3. Fees Calculation

- (a) RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ \$790.00
☐ \$385.00 (for small entity)

- (b) Extension of Time

- ☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

- ☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months Requested	Fee for Extension	Fee for Small Entity
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$225.00
<input type="checkbox"/> three months	\$ 1020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00

The extension of time fee for this request: \$_____.

If an additional extension of time is required, please consider this a Petition therefor.

- (c) Petition under 37 C.F.R. § 1.313(c) fee of
- \$130.00
- .

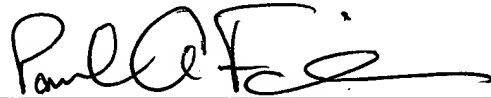
The total fee for this submission: \$790.00 + \$130.00 = \$920.00

4. Fee Payment

- ☒ Enclosed is a check in the amount of \$920.00, representing \$790.00 for the RCE filing fee and \$130.00 for the petition fee.
- ☐ The Commissioner is hereby authorized to charge the Deposit Account No. 50-0573 in the amount of _____.
- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP



Paul A. Fournier

Registration No. 41,023

Dated: June 13, 2005

Customer No. 023973

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